

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SHAIFAH SALAHUDDIN,

Plaintiff,

-against-

ACCESS-VR; SRC; ACCES-VR/SRC; ANNE
STERNBACH; REBECCA ROBINSON-
LAWRENCE; LINDA VILLANYI; VANESSA
SCHOLACK; ANITA DARBY; LOREEN
CAMPELL, all in their individual & official
capacities, other related parties, government &
private Jane/John Doe,

Defendants.

21-CV-10424 (LTS)

TRANSFER ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff Shaifah Salahuddin, who appears *pro se*, asserts claims under multiple federal statutes, including the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and Title VI of the Civil Rights Act of 1964. She also asserts claims under the New York State and City Human Rights Laws. Plaintiff's claims arise from the defendants' alleged discrimination and retaliation against Plaintiff with regard to her participation in the New York State Education Department's Adult Career and Continuing Education Services – Vocational Rehabilitation (ACCES-VR) program. For the following reasons, the Court transfers this action to the United States District Court for the Eastern District of New York.

DISCUSSION

Plaintiff previously filed a substantially similar complaint against the same defendants, which the Court transferred, under 28 U.S.C. § 1404, to the United States District Court for the Eastern District of New York. *See Salahuddin v. Access-VR*, ECF 1:21-CV-4499, 3 (S.D.N.Y. Aug. 19, 2021) (transferring complaint based on a totality of the circumstances and in the interest

of justice). Plaintiff filed an amended complaint in the Eastern District on September 17, 2021, and the matter is pending. *See Salahuddin v. Access-VR*, ECF 1:21-CV-4846 (E.D.N.Y.).

This matter is transferred under 28 U.S.C. §1404 for the same reasons set forth in the transfer order issued in 21-CV-4499.

LITIGATION HISTORY AND WARNING

A review of Public Access to Court Electronic Records (PACER) shows that Plaintiff has filed eleven *pro se* matters in this Circuit. *See Salahuddin v. HUD*, ECF 1:21-CV-6139 (E.D.N.Y. filed Nov. 21, 2021) (pending); *Salahuddin v. Transformco*, ECF 1:21-CV-5625 (E.D.N.Y. filed Oct. 4, 2021) (pending); *Salahuddin v. Donnellan Gambella*, ECF 1:19-CV-7334, 5 (CM) (S.D.N.Y. September 17, 2021) (dismissing complaint for failure to state a claim), 19-4333 (2d Cir. June 18, 2020) (dismissing appeal as frivolous); *Salahuddin v. Riverdale Avenue Props. LLC*, ECF 1:21-CV-6730 (E.D.N.Y. September 30, 2021) (dismissing complaint for lack of subject matter jurisdiction), *appeal pending* 21-2743 (2d Cir.); *Salahuddin v. Equal Empl. Opportunity Comm'n.*, ECF 1:15-CV-6712, 56 (LTS) (S.D.N.Y. September 29, 2016) (granting defendant's motion to dismiss), 17-3671 (2d Cir. June 29, 2018) (dismissing appeal as frivolous).

Plaintiff is warned that if she persists in filing duplicative or frivolous litigation in this Court, she may be ordered to show cause why a filing injunction should not be imposed under 28 U.S.C. § 1651. *See Sledge v. Kooi*, 564 F.3d 105, 109-110 (2d Cir. 2009) (discussing circumstances where frequent *pro se* litigant may be charged with knowledge of particular legal requirements).

CONCLUSION

The Clerk of Court is directed to transfer this action to the United States District Court for the Eastern District of New York. Whether Plaintiff should be permitted to proceed further

without prepayment of fees is a determination to be made by the transferee court. A summons shall not issue from this court. This order closes this action in this court.

The Clerk of Court is further directed to mail a copy of this order to Plaintiff and note service on the docket.¹

The Court certifies, under 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: December 8, 2021
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge

¹ Plaintiff submitted a Consent to Electronic Service form, but it was unsigned. (ECF 2 at 9.)